



**KULIOUOU/KALANI IKI NEIGHBORHOOD BOARD NO. 2**

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
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**KULI'OU'OU-KALANI IKI NB NO. 2  
MINUTES OF REGULAR MEETING  
THURSDAY, MAY 4, 2006  
AINA HAINA PUBLIC LIBRARY**

**CALL TO ORDER:** Vice Chair Ed Schell announced that as Chair Bob Chuck would not be attending tonight's meeting, he would be the Acting Chair and he called the meeting to order at 7:10 PM with a quorum present.

**MEMBERS PRESENT:** Ed Schell, Al Andrews, Ted Ashworth, Bernie Boltz, Jeannine Johnson, Bertha Leong, Karen Narimasu, P. Anne Rautio, Jack Schneider, Jamal Siddiqui (8:19 p.m.), Sheri Spangler and Joseph Young.

**MEMBERS ABSENT:** Bob Chuck (excused), Fran Kagawa, Michael Parke, Linda Starr (excused) and Kimo Sutton.

**GUESTS:** Dr. Linda Rosen, Deputy Director, Department of Health (Governor Linda Lingle's representative); Senator Sam Slom, Representative Barbara Marumoto, Representative Lyla Berg; Councilmember Charles Djou and Francisco "Chico" Figueiredo and Nolan Kido (Councilmember Djou's Office); Captain Robert Green, Sgt. Erik Egami, Detective Steve Foreman, Officer Jason Hendricks and Patrol Officer H. Las (Honolulu Police Department, District 7); Scot Muraoka (Board of Water Supply), Suma Lee Ashworth, Tai Hong (Livable Hawaii Kai Hui), Martha DeMello (Kuli'ou'ou Valley), Matt Miura (Clearwire), and K. Russell Ho (Neighborhood Commission Office staff).

**HONOLULU FIRE DEPARTMENT (HFD)-** No representative was present.

**HONOLULU POLICE DEPARTMENT (HPD):** Sgt. Erik Egami distributed the monthly report and highlighted the following:

Statistics for April compared to March included: Beat 768- burglaries 3/3, thefts 0/4, unauthorized entry into a motor vehicle (UEMV) 3/6; Beat 770- burglaries 1/2, thefts 4/2, UEMV 2/0 and Beat 772- burglaries 0/2, thefts 0/3, UEMV 1/3.

The HPD handout had a map showing the beat locations, the Narcotics/Vice Division Statistics and "A Family Guide to Using the Internet."

Questions, answers and comments followed.

1. Board member Anne Rautio asked about the recent fatality of a woman about two weeks ago in the early morning. HPD replied that it might have been due to the inattention of the pedestrian and speeding of the drivers.

2. Board member Jeannine Johnson asked where in Aina Haina was the narcotics case. HPD replied that it was an on-going criminal investigation and he could only report general information.
3. Board Jack Schneider asked for a speed-check trailer on Laukahi Street. Captain Robert Green introduced himself. He is the new captain assigned to District-7. He mentioned the priorities for HPD are: speed enforcement (which includes the use of speed-check trailers); expedite the flow of traffic; and fight graffiti. Last month, there were ten (10) graffiti arrests, seven (7) in District 7 and three (3) in Hawaii Kai. They showed the pictures on television to expose the vandals to the public. HPD now takes the taggers' cell phones and cars as evidence for property crimes. Then, they can get an administrative subpoena to find out other members of the team. They turn the information over to the Crime Reduction Unit. Other HPD concerns included property crimes, burglaries and unauthorized entry into a motor vehicle (UEMV).
4. Board member Sheri Spangler said there are many contraflow lane violators from 7:15 a.m. to 8:00 a.m., ocean-side of Kalani High School, between Waieli Street and Kilauea Avenue off-ramp. Captain Green replied that he would send someone to monitor the area.

On the mauka side, HPD is monitoring Malia Street and Halekoa Drive.

5. Board member Jack Schneider said there are loud noises coming from many motorcycles. Captain Green mentioned that there are ordinances and laws. A motorcycle patrol officer mentioned the difficulty in enforcing the various motor vehicle laws concerning noise, reconstruction, lights, registration, safety check, etc.
6. Concerning the recent high-speed chase to Hawaii Kai and to Tantalus, Board member Spangler and Neighborhood Board No. 2 wanted to thank and recognize the HPD. HPD mentioned that there were no officers injured or motor vehicle collisions.
7. Board member Johnson mentioned that the Neighborhood Board No. 2 is one of the biggest supporters for the HPD. On behalf of the Board, she testified in favor of the "three strikes" bill and the "wiretap" bill. HPD mentioned that they needed the community to be the "eyes and ears" and that they would respond.

**Citizens' Concerns Regarding Police: - Including Responses from Police**

There were none.

Acting Chair Schell thanked the Honolulu Police Department (HPD).

**RESIDENTS' CONCERNS:**

1. Board member Spangler had two large poster boards with pictures of the past March flooding in her neighborhood. They showed flood damage in areas of the subdivision

between Waiholo and Waieli Streets, and of ineffective new storm drains. Francisco "Chico" Figueiredo from Councilmember Charles Djou's Office said that the Department of Facility Maintenance (DFM) is responsible for maintaining City streets. The State Department of Transportation (SDOT), Highway Maintenance, is responsible for the storm drains along Kalaniana'ole Highway.

Acting Chair Schell asked Senator Sam Slom and Representative Barbara Marumoto to follow up.

Board member Bernie Boltz noted there is Federal money for State highways.

Concerning the flooding, it was mentioned that this was the most continuous rain in well over twenty years, and there was too much rainwater runoff for the storm drains.

Board member Spangler reminded the Board that she had come some five months earlier before the March flood asking for roadway inspections and maintenance, but no action was apparently taken.

2. Board member Al Andrews asked why did the Insurance Commissioner transfer the Hurricane Fund to a new company. There are new requirements, rather than taking all customers, insurance companies are not accepting new customers. While they take all of the "old" policies, when a homeowner tries to sell his home, the "new" homeowner's policy has new limits and restrictions.

Senator Slom mentioned the Zephyr Company, among other companies, are not extending old hurricane insurance coverage to new home-owners, and home-owners and buyers must be vigilant.

3. Board member Karen Narimasu mentioned a dangerous situation at Waialae-Iki Park. Last week, there were over 100 kids playing mixed sports. There were kids running after hard hit baseballs, mixed with kids running after soccer balls. Today, there was pony league baseball (middle school and above). The residents were concerned if the mixed-sports permits were legal?
4. Board member Johnson asked for the Board's support for City Charter Proposal 47, which supports the current "urban growth boundaries," the Board passed the following motion:

**Board member Johnson moved and Board member Andrews seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 supports the City Charter's Proposal 47 to keep the current "urban growth boundaries", which will come up for vote at their May 10 meeting.** Discussion followed. Board member Johnson mentioned that these boundaries are mentioned in the East Honolulu Sustainable Communities Plan (EHSCP) and that next month there will be a presentation by opponents to the development of Paiko Ridge. The developers are already advertising lots-for-sale without getting the permits yet.

**The motion carried unanimously, 11-0-0.**

Board member Johnson mentioned that at the next Board meeting there would be a presentation by the Livable Hawaii Kai Hui, the Pflueger project, the Lucas Trust's BWS reservoir project and Paiko Ridge. Neighborhood Assistant Ho mentioned the election of Board officers at the June meeting.

There were no further citizens' concerns.

**BOARD OF WATER SUPPLY (BWS):** (7:37 p.m.) Scot Muraoka read the May report and highlighted the following:

1. There were no water main breaks for March.
2. The BWS is proposing a water rate increase. They have not had a rate increase since 1995, but the cost of doing business has gone up. They are proposing a multi-year (5) year increase with 13 percent in the first year from \$1.77 to \$2.00 per 1,000 gallons or \$3.25 increase per month, starting October 1, 2006, when water usage drops. A public hearing is scheduled on May 15 at 2:00 p.m. at the Board of Water Supply (BWS) Boardroom. In the second year, they are proposing an increase of 12 percent and in the third year, 10 percent. Their costs have gone up from 1995- Labor and electricity costs have gone up, 900 percent for paving and fuel costs have increased 100 percent. Muraoka mentioned that they had a maintenance schedule, but the former Mayor's administration deferred repairs and maintenance.

Board member Rautio asked how much of the increase goes to infrastructure. Muraoka replied that the increase would maintain the current operations and service.

Board member Spangler asked about an audit of the Board of Water Supply (BWS). Councilmember Djou answered that they are just about finished with their annual audit. The "Les Tanaka" (City Auditor) audit is not until 2008.

Board member Schneider calculated that the increase was 70.5 percent over five years.

Board member Joseph Young asked how do they determine which pipes to change first. Muraoka replied, when the age of the pipes are over 50 years old, when there are a number of breaks in the area, and when salty soil corrodes the pipes.

Muraoka distributed the following two handouts:

**Facts about the Board of Water Supply's Rate Changes**

At the Honolulu Board of Water Supply, our mission is *Water for Life - Ka Wai Ola*. It is at the core of what we do and provides the basis for our work. Our goals are to sustain the

island's water resources, maintain a healthy organization, and provide our people the tools and skills we need to serve our customers.

BWS provides a great value to customers - **our rates are among the nation's lowest** for communities of similar size, and they haven't risen in nearly 11 years.

At the same time, **the costs of providing service have grown steeply** - electrical power, construction materials, fuel, and labor costs continue to rise.

**Our aging system also needs continued investment** to keep it in operation. The bulk of our pipelines are between 30 and 50 years old, and many are nearing the end of their expected service life. Water utilities across the country are facing this same challenge.

The BWS has worked hard over the years to control costs and has been able to defer scheduled rate increases since 1995. However, we can no longer afford to postpone rate increases. Over the past year, we've studied our system needs and worked to define the true costs of providing water service. The results tell us that **we must raise rates to continue serving our customers.**

To reduce impacts on customers, we are proposing a multi-year rate schedule. In the first year of this program, BWS is asking our Board to approve **a system-wide rate increase of 13 percent, which represents a \$3.23 increase** in the average residential customer's monthly charge. This means the water rate will go from \$1.77 to \$2.00 for 1,000 gallons of water. We are proposing the new water rates take effect on October 1, 2006. BWS has timed this rate increase to take effect after the end of summer, when residential customers normally begin using less water.

At BWS, we work hard to sustain resources and control costs. Our leak detection program has saved 1.5 million gallons of water a day in the Windward system alone. We're producing 8 million gallons a day of recycled water, offsetting demands on groundwater.

In parallel, we looked at the portion of our annual operations budget that we *can* control, and we're constraining our fiscal year 2006 operations budget, exploring every opportunity to reduce costs. We are committed to continuing to provide the best possible value to our customers.

***If you'd like more information about BWS and your water rates, please visit [www.boardofwatersupply.com](http://www.boardofwatersupply.com) or contact Su Shin, our Chief Communications Officer, at 748-5311.***

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IN THE MATTER OF

NOTICE OF PUBLIC HEARING  
C & C BOARD OF WATER SUPPLY

**NOTICE OF PUBLIC HEARING:**

NOTICE IS HEREBY GIVEN that the BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU, will hold a PUBLIC HEARING in its Board Room, Public Service Building, 630 South Beretania Street on MONDAY, MAY 15, 2006, at 2:00 p.m. or soon thereafter, so those interested may be heard to consider the following:

- (1) The Proposed FY 2006 - 2007 Operating and Capital Program Budget of the Board of Water Supply for the fiscal year July 1, 2006 to June 30, 2007; and
- (2) Proposed revisions to the "Schedule of Rates and Charges for the Furnishing of Water and Water Service" to consumers of the Board of Water Supply, City and County of Honolulu, for five fiscal years beginning October 1, 2006.

The proposed revisions to the Schedule of Rates and Charges are outlined below:

**BOARD OF WATER SUPPLY  
CITY AND COUNTY OF HONOLULU**

**PROPOSED REVISION TO THE SCHEDULE OF RATES AND CHARGES FOR THE  
FURNISHING OF WATER AND WATER SERVICE**

Proposed rate increases to be effective October 1, 2006.

**BILLING CHARGE**

There is a billing charge each time a bill is rendered effective as follows:  
:

July 1, 2005	Oct 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
\$3.70	\$4.18	\$4.68	\$5.15	\$5.56	\$5.84

**QUANTITY CHARGE**

In addition to the billing charge, there is a charge for all water drawn for each 1,000 gallons effective as follows:

Single Family Residential (Monthly Per Unit)	July 1, 2005	Oct 1, 2006	July 1, 2007	July 1, 2008	July 1, 2009	July 1, 2010
Block 1 (Gallons)						
First 13,000 or any part thereof	\$1.77	\$2.00	\$2.24	\$2.46	\$2.66	\$2.79
Block 2 (Gallons)						
13,001 - 30,000 or any part thereof	\$2.12	\$2.40	\$2.69	\$2.96	\$3.20	\$3.36

Block 3 (Gallons) Over 30,000	\$3.18	\$3.59	\$4.02	\$4.42	\$4.77	\$5.01
<b>Multi-Family Residential (Monthly Per Unit)</b>	<b>July 1, 2005</b>	<b>Oct 1, 2006</b>	<b>July 1, 2007</b>	<b>July 1, 2008</b>	<b>July 1, 2009</b>	<b>July 1, 2010</b>
Block 1 (Gallons) First 9,000 or any part thereof	\$1.77	\$2.00	\$2.24	\$2.46	\$2.66	\$2.79
Block 2 (Gallons) 9,001 - 22,000 or any part thereof	\$2.12	\$2.40	\$2.69	\$2.96	\$3.20	\$3.36
Block 3 (Gallons) Over 22,000	\$3.18	\$3.59	\$4.02	\$4.42	\$4.77	\$5.01
<b>Non-Residential</b>	<b>July 1, 2005</b>	<b>Oct 1, 2006</b>	<b>July 1, 2007</b>	<b>July 1, 2008</b>	<b>July 1, 2009</b>	<b>July 1, 2010</b>
All Usage	\$1.98	\$2.24	\$2.51	\$2.76	\$2.98	\$3.13
<b>Agricultural *</b> <b>(Monthly Per Account)</b>	<b>July 1, 2005</b>	<b>Oct 1, 2006</b>	<b>July 1, 2007</b>	<b>July 1, 2008</b>	<b>July 1, 2009</b>	<b>July 1, 2010</b>
Block 1 (Gallons) First 13,000 or any part thereof	\$1.77	\$2.00	\$2.24	\$2.46	\$2.66	\$2.79
Block 2 (Gallons) Over 13,000	\$0.75	\$0.85	\$0.95	\$1.05	\$1.13	\$1.19
<b>Non-Potable **</b>	<b>July 1, 2005</b>	<b>Oct 1, 2006</b>	<b>July 1, 2007</b>	<b>July 1, 2008</b>	<b>July 1, 2009</b>	<b>July 1, 2010</b>
All Usage	\$0.99	\$1.12	\$1.25	\$1.38	\$1.49	\$1.56

\* To obtain Agricultural Quantity Charges, a service holder must submit a written application each fiscal year to the Board of Water Supply and furnish satisfactory proof that they are engaged in crop production, stock raising or dairy farming on a commercial basis. Each approved application shall continue in effect entitling the service holder to these charges for the remainder of the fiscal year, until they cease the activities entitling them to these charges, or until new charges are established.

\*\* The Nonpotable Quantity Charge effective from July 1, 1993 shall not supersede existing or individually negotiated nonpotable quantity charge agreements.

**STANDBY CHARGE:** A Standby Charge of \$2,970.00 per month for each million gallon per day (mgd) demand requirement shall apply to private water systems contracting for inter-connection service. Such service shall be provided only for emergency or unscheduled service outages or supply reductions with the intent to protect against interrupted water service supporting normal private system requirements. Water drawn

shall be charged at the quantity rate of \$1.48 for each thousand gallons or portion thereof. The Manager and Chief Engineer may negotiate alternate charges when appropriate.

**ON-SITE DISTRIBUTION TARIFF:** Consumers may be assessed an On-Site Distribution Tariff for Department maintenance of property piping if they elect to have the Board provide such service. Maintenance shall be limited to repair and renewal of "after the meter" service appurtenances eligible for coverage.

**POWER COST ADJUSTMENT:** When total electricity costs to the Board of Water Supply exceeds the amount used in calculating the annual Schedule of Rates and Charges, then the Quantity Charge may be increased \$0.01 per 1,000 gallons for every \$600,000 incremental overage, or any fraction thereof, in the following fiscal year rate.

**ENVIRONMENTAL REGULATIONS COMPLIANCE FEE COST ADJUSTMENT:** The Quantity Charge may be increased \$0.01 per 1,000 gallons for each \$600,000 or fraction thereof of additional costs that the Board of Water Supply is required to incur in order to comply with any Federal or State environmental law or regulation.

All comments or suggested changes to: (1) the proposed FY 2006 - 2007 Operating and Capital Program Budget of the Board of Water Supply; and (2) the proposed revisions to the Schedule of Rates and Charges for the Furnishing of Water and Water Service should be filed in writing before the date of the public hearing or presented in person at the time of the public hearing. Persons wishing to speak are requested to register by 1:00 p.m. with Lorraine Lee, Fax No. 550-5506 or Ph. 748-5064, by providing your name, phone number, and subject matter of testimony. Testimony is limited to three minutes and shall be presented by the registered speaker only. Any questions, please call 748-5064.

Any disabled person requiring special needs who plans to attend the public hearing may contact Lorraine Lee at 748-5064, no later than May 8, 2006, so that appropriate arrangements can be made.

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For more information, Muraoka said to call Su Shin, the Chief Communications Officer, at 748-5311.

Acting Chair Schell thanked Muraoka.

**APPROVAL OF THE APRIL 6, 2006 REGULAR MEETING MINUTES:** The following corrections were made:

Page 3, 1., it should read, "When Board member Johnson asked about hunting and hikers in the valleys, HPD responded that if it looks suspicious, then call 9-1-1. Permits are needed for hunters."

Page 4, 2., it should read, "Board member Ted Ashworth mentioned that his real property tax assessment increased by over 33 percent. When he called the City tax



assessment office, nobody could answer his questions. He was referred to a Wilfred Martin, who was not available.

When Board member Johnson called Wilfred Martin, they said they would inspect the house to determine if a lower assessment was in order."

Page 7, 6., it should read, "Board member Ashworth mentioned the recent damaging flooding of Kahala Mall from huge rain runoff coming from Hunakai Street. Former Mayor Jeremy Harris wanted beautification projects, and funded those projects with moneys from the sewer upgrade projects, but did not fix the sewers."

Page 9, under **APPROVAL OF THE MARCH 2, 2006 REGULAR MEETING MINUTES:**, it should read, "Chair Chuck thanked Board members Starr and Johnson and Neighborhood Assistant Ho for working on the minutes."

Page 9, 1., it should read, "Reverend Richard Vinson from Holy Nativity Church was in the audience and he had no objections."

Page 15, 8., should read, "For Board member Johnson, Bill Paul will get more paint to paint out graffiti. City Mill has donated the paint."

Page 17, under **MAYOR MUFI HANNEMANN'S REPRESENTATIVE:**, it should read, "1. Board member Johnson reported that the Principal of Niu Valley Intermediate School asked if TheBus could detour into the valley only on school day afternoons and pick up the students in front of the school and not on Kalaniana'ole Highway for safety reasons."

Page 18, 2., it should read, "Board member Jack Schneider reported there is road surface separation conditions at Kumakani Loop and Kihi Street and at Kumakani Loop and Laukahi Street. It is much bigger than a pothole, and there is asphalt and concrete roadbed separation, and there are segments of sidewalk that have sunk around six inches, too."

**Board member Andrews motioned and Board member Johnson seconded that the April 6, 2006 regular Board meeting minutes be accepted as amended. The motion carried unanimously, 11-0-0.**

**MAYOR MUFI HANNEMANN'S REPRESENTATIVE** – No representative was present.

**ELECTED OFFICIALS-** (7:53 p.m.)

**Senator Sam Slom:** Senator Slom distributed his newsletter and highlighted the following:

1. The Legislative session ended for the Senate about three and a half hours ago. Senator Slom mentioned that at a previous Board meeting Board member Schneider

had asked, with all the heavy rains, about a water rate increase and he got it. The "three strikes" bill passed. This Board and Board member Johnson and Attorney General Mark Bennett should take credit for that. The House voted for it, but four Senators voted against it, Senators Hooser, Kanno, Espero and Hee. They also voted against the electronic "wiretap" surveillance.

2. The "Gas Cap" was not repealed. The House wanted to repeal it, but Senator Menor wanted to keep it. The bill allows the Public Utilities Commission (PUC) to calculate the cap, using Singapore prices. Power is shifted to the Governor, who can "re-instate the gas cap." It was suspended not repealed.
3. The Governor vetoed five bills before the end of the session and the Legislature decided not to overturn them.
  - A. Changing the selection of the Adjutant General- The bill would have required that the Adjutant General have served in the National Guard for five years. "Local" retired U.S. Army Chief of Staff General Eric Shinseki would not have been eligible.
  - B. A Constitutional amendment to allow judges serving past 70 years old- It was mainly to protect Hawaii Supreme Court Chief Justice Ronald Moon and Intermediate Court of Appeals Chief Justice James Burns.
  - C. Legislature want to restrict Governor's power to appoint vacancies- The Legislature wanted the Governor to select a person from the list submitted by the political party.
  - D. One bill concerned Naturopathy injections.

The Governor has forty-five days to sign the bills into law, veto or allow the bills to become law without her signature.

4. Concerning the \$500 million State budget surplus, which grew to \$700 million, there was limited tax relief. They increased the State standard income tax deduction to 40 percent of the Federal deduction. For the middle class, as Board member Spangler mentioned, there is no tax relief until 2008, but spending increases start right away. Senator Slom mentioned the 12.5 percent excise tax increase, starting on January 1, 2007 and other increases in the water rates, sewer fees, real property taxes and postage stamps.
5. The House killed a "tax streamlining" bill, which would have allowed the taxing of Internet sales.
6. The "super high-tech innovation fund" would have \$100 million dollars the first year and \$200 million after the second year. It was "recommitted" at the end of the session.

7. Senator Bob Hogue and Senator Brian Kanno not running for re-election. Senator Hogue is running for Congress and Senator Kanno wants to spend more time with his family. Five Representatives are not running.
8. The Governor said that it was a good session and the Legislature was working well with her Cabinet. Senator Slom disagreed, but added that there were some open debate and good housing and alternative energy bills passed. From a taxpayer's point of view, there was no tax refund or significant decrease for two years.
9. Senator Slom mentioned that he and his staff would still be available to follow up on concerns like the Department of Transportation (DOT).

Question, answers and comments followed.

1. Board member Schneider asked about the unemployment compensation tax bill. Senator Slom replied it passed but employers would pay at a reduced amount of \$10,000/year for two years. The benefits would increase from 26 to 30 weeks and there was an amendment that an employer cannot fire an employee unless he showed "willful and wanton" misconduct.

After three years, Senator Colleen Hanabusa, Judiciary Committee Chair, was able to defeat the Voluntary Employees' Beneficiary Association (VEBA) trust fund. Overall, from a taxpayer's and business point of view, it was not a good session.

2. The "Kukui Gardens" bill passed, but it was a bad bill. Senator Slom gave some background and he voted against it. He doesn't know what the Governor will do with it.

(8:07 p.m.) Dr. Linda Rosen signed-in.

3. Acting Chair Schell asked about the enforcement of Senate Bill 3262, banning smoking in private establishments open to the public. Senator Slom mentioned that there was no extra money for enforcement. He voted against this bill and increased taxes on cigarettes. Although he is not a smoker, this bill is about revenues, not smoking. What happened to the "War on Ice"? The excise tax is regressive and bad policy.
4. Senator gives the Legislative session a "D" grade for the taxpayer and small business and a great session for law enforcement, housing and alternative energy. Board member Johnson again mentioned "no parking" at the Capitol.

Acting Chair Schell thanked Senator Slom.

**Representative Barbara Marumoto:** (8:12 p.m.) Representative Marumoto distributed her newsletter and highlighted the following:

1. Senator Slom gave a pretty comprehensive report, including the Worker's Compensation Bill. The "streamline tax" bill was dead.
2. The "three strikes" bill, which provides for a mandatory 30-year to life sentence for habitual violent felons, was recommitted and passed.
3. Representative Marumoto voted for the "smoking ban" bill, because funding goes to the Cancer Center. Former University of Hawaii President Dobbell raised \$150 million from businesses for the Cancer Center.
4. She would leave education to Representative Lyla Berg.
5. There are two strong Labor chairs in Legislature, so there were lots of pro-Labor bills. There would be more cost for workers' compensation and more benefits.
6. Concerning the "bottle" bill, if the redemption rate hits 70 percent, then the "tax" would go up to 6.5 cents. Wine bottles are exempt, but two-liter containers are now included, up to 68 ounces.

Questions, answers and comments followed.

1. Board member Schneider commented the workers' compensation benefits are the most generous in the country. Senator Slom mentioned that the reserve fund of \$457 million is paid by the employer and is not refundable. It is administered by the Federal government and can't be raided by the State. Senator Slom mentioned that former University of Hawaii President Dobbell was in the news recently.
2. Board member Spangler mentioned the landscaping at and near the Kahala Mall on Waialae Avenue. Representative Marumoto mentioned that the Kahala Mall people are not happy and they had a meeting. The "City" grass turned brown on the sidewalk and she asked Councilmember Djou to follow up. Representative Marumoto would also follow up with the Department of Transportation (DOT) near the H-1 on/off ramps.

(8:19 p.m.) Board member Jamal Siddiqui arrived.

Acting Chair Schell thanked Representative Marumoto.

**Representative Lyla Berg:** (8:21 p.m.) Representative Berg distributed her newsletter and highlighted the following:

1. She was "sheparding" early childhood education. The Charter schools had a really good bill.
2. There was a bill passed creating an "education foundation." By getting money from the foundation, it would make decreases from the student-weighted formula not as painful.

For example, Kaiser was to lose \$80,000, but would get \$100,000. A commission would be set up to determine the amounts.

3. The bill to create a commission to determine criteria for school closures did not pass in the Senate.
4. Her "Sunshine" bill passed the House, but not the Senate. They can look at it again next session.
5. Concerning the Charter Commission, she has spoke with Board member Johnson about "urban growth boundaries" and agriculture.
6. One of her "quality of life" bills "morphed" into something else and she voted against it.
7. In her newsletter, she wanted to point out the Hawaii10-point energy plan and special purpose revenue bonds.
8. The five Representatives not running for re-election are Ezra Kanoho from Kauai, Helene Hale from Puna on the Big Island, Dennis Arakaki from Kalihi, Brian Schatz is running for Congress and "Bud" Stonebraker from Hawaii Kai. The Legislative session was good for housing, law enforcement, health care for children and education. One area that she got involved with was the Department of Hawaiian Home Lands.
9. She was happy to announce that the playground equipment for Niu Valley (championed by Board member Johnson) was passed. Councilmember Djou could look forward to \$100,000.

Questions, answers and comments followed.

1. Board member Ted Ashworth asked why did she vote against tort reform. She mentioned that it was a complicated issue and that she would look at it again.
2. Board member Johnson wanted to thank Representative Berg for the swings.
3. Concerning House Bill 2114, her "graffiti" bill, Senator Hanabusa did not hear the bill.

The University of Hawaii policy center said that Board member Schneider's bill was a good bill and she would try again next year.

Acting Chair Schell thanked Representative Berg.

**Councilmember Charles Djou:** (8:34 p.m.) Councilmember Djou distributed his newsletter and highlighted the following:

1. He mentioned that the recent Ala Wai sewage "spill" was five times larger than the Exxon Valdez oil spill in 1989, the largest spill in the history of the City and County of

Honolulu and the largest in United States history. He has introduced a resolution to investigate the sewer spill, as to why did it happen, who was responsible and how to prevent it from happening again.

2. Concerning the Honolulu Liquor Commission, there were more two indictments for corruption and extortion. Councilmember Djou led the effort to replace the old Executive Director and replace him with a new one two weeks ago, but now he thinks the problems are too big and he would favor a Federal take-over.
3. Concerning taxes, he favors lowering the real property tax rates.
4. Concerning the Charter Commission, they are looking at about 20 to 40 questions to put on the ballot. There is one proposal to repeal the two-term limit for City Councilmembers. As this is his last term, he cannot run again.
5. Board member Karen Narimatsu again requested that TheBus detour for that one stop in the afternoon closest to after the end of school day. The bus, traveling on Kalaniana'ole Highway, would turn mauka on Halemaumau Street, stop at the Nui Valley School and loop back on Halemaumau Street to Kalaniana'ole Highway, which happened in the past. She wanted Councilmember Djou to write a letter to the Department of Transportation Services (DTS) because the students act in an unruly and unsafe manner on Kalaniana'ole Highway.

Councilmember Djou would follow up. Board member Narimatsu mentioned that school starts on July 31.

After the Mayor's representative did not "quite get it" at the last meeting, Representative Berg wrote TheBus and explained that they are not asking for similar service to the morning bus from Kahala Mall, but they still don't understand.

Board member Spangler asked if the community was consulted and invited to come to the Neighborhood Board to voice their side.

Board member Johnson sent 200 e-mails and there were no negative responses. She stressed the safety of the children.

Councilmember Djou would follow up, but cautioned that the Board had previously requested to move the route to Kalaniana'ole Highway.

6. Board member Andrews asked if the "Plan B" for the recent sewage spill was to dump in the Ala Wai canal. Councilmember Djou replied that the City had no plans to dump into the Ala Wai, which is under the State's jurisdiction.
7. Acting Chair Schell asked who would be the new Mayor's representative. With no disrespect to the former Mayor's representative, Acting Chair Schell mentioned that he went back to what he used to do.

8. Board member Johnson asked Councilmember Djou why he voted for the new Liquor Commission head, Dewey Kim. Councilmember Djou thought he could turn the office around. Councilmember Djou now favors a Federal government takeover.

Acting Chair Schell thanked Councilmember Djou.

**Governor Linda Lingle's Representative-** (8:46 p.m.) Dr. Linda Rosen, Deputy Director, Department of Health distributed the Governor's newsletter and highlighted the following:

1. The Legislative session was over. The Administration testified for over 100 bills
2. There was a summit on the anticipated pandemic.
3. Board member Johnson mentioned the Department of Transportation (DOT) replacing the flashing light in front of Holy Trinity Church.

Acting Chair Schell thanked the Governor's representative Dr. Rosen.

#### **PRESENTATIONS:**

**Clearwire Request for Antennae Installation-Holy Nativity Church** – Matt Miura, representative for Clearwire wireless broadband, presented a follow-up report from last month's proposal of placing a wireless installation at the Holy Nativity Episcopal Church. He distributed a handout and mentioned the Federal Communications Commission (FCC) guidelines for radio frequency and power. Microwaves have heat, but the power level is lower. Television uses 5 million watts, FM uses 100,000 watts, AM has 50,000 watts and his proposed wireless facility transmits radio frequency energy at 10 to 100 watts. The signal degrades quickly in a short distance and the signal is high up. The danger zone is 10 feet in front.

Questions, answers and comments followed.

1. Board member Bertha Leong had general health concerns. Miura mentioned that certain metals "bend" waves.
2. Board member Johnson mentioned that three antennae mean three times the radiation.
3. Board member Young asked how do they determine if it is safe. Miura mentioned the FCC guidelines and that it is safe to walk around the base. Their wireless Internet service uses a lower 44-watts frequency than cell phones. They transmit in sections. The TV antenna does not combined with cell phones, as they are different frequencies. The cell phone may be more dangerous as it is closer to your head.
4. Resident Ed Van Dyke and his wife live 50 feet away. They would like a test. Miura would follow up with Van Dyke. In the meantime, Miura could still file his application

for the Conditional Use Permit (CUP) as he has already given his presentation to the Neighborhood Board. The Board would wait to the June Board meeting (after the results of the test were reported) to take action on the proposal.

**Board member Leong moved and Board member Johnson seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 would not take action on the proposed project until the tests were completed. The motion carried unanimously, 12-0-0.** Matt Miura would comply with the testing request.

Acting Chair Schell and the Board thanked Miura and Clearwire for their co-operation and coming back for a second time to explain information.

**NEW BUSINESS-** There was none.

**TREASURER'S REPORT-** (9:13 p.m.) Treasurer Andrews reported that there was a balance of \$810.00 in the Operating Account, \$2,372.00 in the Publicity Account (pending payment of about \$168.00 for two two-sided signs to publicize the meetings) and \$120.00 in the Refreshment Account.

**Board member Andrews moved and Board member Narimasu seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 transfer \$1,000.00 from the Publicity Account to the Operating Account. The motion carried unanimously, 12-0-0.**

The Treasurer's report was accepted as read.

#### **REPORTS FROM COMMUNITY ASSOCIATIONS:**

**Niu Valley Community Association-** Board member Leong reported that there is a meeting on May 22 on the recent landslides and she would report back next month.

**Aina Haina-** No report.

**Waialae Iki Ridge-** No report.

**Waialae Golf Course-** Board member Spangler mentioned that their annual meeting would be on May 15.

**Wailupe Peninsula-** No report.

**ADJOURNMENT:** Hearing no objections, Acting Chair Schell adjourned the meeting at 9:16 p.m.

Submitted by K. Russell Ho, Neighborhood Assistant

Reviewed by Board Chair Bob Chuck and Board member Linda Starr